



**VILLAGE OF ROME  
ADAMS COUNTY**

**REPORT ON PROCEDURES PERFORMED**

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VILLAGE OF ROME  
ADAMS COUNTY

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# OHIO AUDITOR OF STATE KEITH FABER



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## INDEPENDENT ACCOUNTANTS' REPORT

Village Council  
Linda Wolfe, Acting Mayor  
Village of Rome  
P.O. Box 16  
Stout, Ohio 45684

Ohio Revised Code Section 703.201(B) reads, in pertinent part:

If the auditor of state finds in an audit report issued under division (A) or (B) of Section 117.11 of the Revised Code of a village that has a population of one hundred fifty persons or less and consists of less than two square miles, that the village meets at least two conditions for surrendering corporate powers, the auditor of state shall send a certified copy of the report together with a letter to the attorney general requesting the attorney general to institute legal action to dissolve the village.

The audit report transmitted to the village shall be accompanied by a notice to the village of the auditor's intent to refer the report to the attorney general for legal action in accordance with this section.

Ohio Revised Code Section 117.11(B) provides:

(B) In addition to the annual or biennial audit provided for in division (A) of this section, the auditor of state may conduct an audit of a public office at any time when so requested by the public office or upon the auditor of state's own initiative if the auditor of state has reasonable cause to believe that an additional audit is in the public interest.

Ohio Revised Code Section 703.201(A), subsections (1) through (6) provide criteria for conditions for "surrendering corporate powers".

Pursuant to Ohio Revised Code Sections 703.201 and 117.11(B), we have performed the procedures summarized below as of December 7, 2021. These procedures were performed solely to determine if the Village of Rome (the Village) meets criteria for surrendering corporate powers pursuant to Ohio Revised Code Section 703.201. The procedures we performed and the results of those procedures are summarized as follows:

### **ISSUE 1: Analysis of Ohio Revised Code Section 703.201 applicability to the Village**

Ohio Revised Code Section 703.201(D), provides criteria to determine population for purposes of determining whether a village has a population of one hundred fifty persons or less. Ohio Revised Code Section 703.201 provides no criteria for determining whether the village consists of less than two square miles.

#### **PROCEDURES:**

1. Inquired with the Adams County Engineers Office.
2. Reviewed the 2020 Federal census data.

#### **RESULTS:**

The Village size was determined by the Adams County Engineers office to encompass .152 square miles.

The 2020 federal census indicated the Village population to be 83 residents.

### **ISSUE 2: Analysis of six criteria for surrendering corporate powers pursuant to Ohio Revised Code Section 703.201**

We reviewed the six criteria for villages subject to Ohio Revised Code Section 703.201(A) to determine if the Village met at least two of the conditions to subject them to surrender of corporate powers.

#### **CRITERION 1:**

The Village has been declared to be in a fiscal emergency under Chapter 118 of the Ohio Revised Code and has been in fiscal emergency for at least three consecutive years with little or no improvement on the conditions that caused the fiscal emergency declaration. (Ohio Revised Code Section 703.201(A)(1))

#### **PROCEDURES:**

1. Reviewed the Auditor of State website for all entities that have been declared in fiscal emergency, [https://ohioauditor.gov/fiscal/Chapter\\_118\\_12-9-2020.pdf](https://ohioauditor.gov/fiscal/Chapter_118_12-9-2020.pdf)
2. Inquired with the Auditor of State, Chief Auditor of the Local Government Services Section.
3. Reviewed released audit reports from 1998 to 2017.

#### **RESULTS:**

The Village has not been declared to be in fiscal emergency in any fiscal year.

**CRITERION 2:**

The Village has failed to properly follow applicable election laws for at least two consecutive election cycles for any one elected office in the Village. (Ohio Revised Code Section 703.201(A)(2))

**PROCEDURES:**

1. Reviewed the Ballot Histories of the Village of Rome compiled by the Adams County Board of Elections for (2009 – 2019).
2. Inquired with the Director of the Adams County Board of Elections.
3. Reviewed released Village of Rome audit reports from 1998 to 2017.

**RESULTS:**

<b>Elected Officials in the Village of Rome</b>								
<i>Term of Office</i>	<i>Mayor</i>	<i>Clerk/ Treasurer</i>	<i>Council Seat 1</i>	<i>Council Seat 2</i>	<i>Council Seat 3</i>	<i>Council Seat 4</i>	<i>Council Seat 5</i>	<i>Council Seat 6</i>
<b>2016-2019</b>	X	X	X	X				
<b>2018-2021</b>					X	X	X	X
<b>2012-2015</b>	X	X	X	X				
<b>2014-2017</b>					X	X	X	X
<b>2008-2011</b>	X	X	X	X				
<b>2010-2013</b>					X	X	X	X
<b>X denotes potential Election Law violation</b>								

The Director of the Adams County Board of Elections indicates there have been no elected officials in the Village of Rome since 1995.

**CRITERION 3:**

The Village has been declared during an audit conducted under section 117.11 of the Ohio Revised Code to be unauditible under section 117.41 of the Revised Code in at least two consecutive audits. (Ohio Revised Code Section 703.201(A)(3))

**PROCEDURES:**

1. Inquired with the Auditor of State, Chief Auditor, Southwest Region,.
2. Reviewed released Village of Rome audit reports from 2010 to 2017.

**RESULTS:**

The Village was declared unauditible for two audits covering the audit periods January 1, 2014 through December 31, 2015 and January 1, 2018 through December 31, 2019.

**CRITERION 4:**

The Village does not provide at least two services typically provided by municipal government [examples omitted]. "Services" does not include any administrative service or legislative action. (Ohio Revised Code Section 703.201(A)(4))

**PROCEDURES:**

1. Inquired with the Acting Mayor (Linda Wolfe) as to the services provided by the Village.
2. Inquired with the Village Customer Service Representative at American Electric Power (AEP).
3. Inquired with the Adam's County Sheriff's Department.
4. Inquired with the Manchester Fire Department.
5. Inquired with the Adams County Rural Water District.
6. Reviewed the Village's cash journal from January 1, 2018, through July 31, 2021.
7. Reviewed the Village's canceled checks and invoices relating to identified disbursements from January 1, 2018 through July 31, 2021.
8. Reviewed the minutes of the Village from January 17, 2016 to December 9, 2019. The Village was unable to provide minutes for 2020 or 2021.

**RESULTS:**

**Street Services**

*Street Lighting*

The AEP Customer Service Representative indicated the Village is located in the territory AEP provides service to. Monthly bills include the electricity and maintenance fees for street lights.

For calendar year 2020 the Village was billed \$2,215, for these services. From January 1, 2021, to July 31, 2021, the Village was billed \$1,304 for these services.

The AEP Customer Service Representative indicated that the Village has no formal contract for services with AEP.

The AEP Customer Service Representative indicated that there are 14 street lights within the Village of Rome boundaries.

#### *Road Repairs and Maintenance*

The Village cuts grass along the streets and ditch lines and repairs pot holes in the streets when needed. The Village has no official street employees to perform these services. The Village purchases materials from vendors whenever necessary.

From January 1, 2018, to December 31, 2020 the Village paid or reimbursed five different citizens, as well as the Mayor, to perform road maintenance services. Services consisted of weed eating, grass cutting, or patching pot holes. The Village paid \$262 in 2018, \$120 in 2019 and \$990 in 2020 for these services. The Village also paid vendors for materials and supplies to be used in road maintenance services in the amount of \$1,112 for 2018. There were no expenditures in 2019 or 2020.

There was no evidence to document that street maintenance work, such as weed eating, grass cutting or repairing potholes was performed. A description of services was included on the canceled checks.

#### Sewer Services

During 2015, the Village began construction of a sewer treatment facility. Funding for the project was provided by grants and loans provided by both the Ohio Water Development Authority and the U.S. Army Corps of Engineers.

As of December 31, 2020, the outstanding OWDA loan balance was \$181,042.20. The final payment was due on January 1, 2021. The Village made a loan payments of \$51,904.42 on March 1, 2021 and \$120,000.40 on August 5, 2021, leaving a balance of \$10,770 which includes penalties and interest.

The Village contracts with Analytical Associates to provide customer billing as well as oversight and monitoring of the sewer treatment facility. The Village pays Analytical Associates approximately \$500 to \$700 per month for these services. Analytical Associates makes recommendations to the Village regarding repairs or maintenance to the sewer treatment facility. Customer payments are sent to the Village's post office box. The payments are collected by various individuals associated with the Village and are deposited into the Villages bank account. The Village does not maintain a listing of customers who are delinquent.

#### Police Protection

The Adams County Sheriff's Department provides coverage to the residents of the Village. There is no specific contract between the Village and the Adams County Sheriff's Department. There was no evidence of payments from the Village for these services.

#### Fire and EMS

Fire and EMS services are provided to the residents of the Village by the Manchester Fire Department. The Fire Department does not have a contract with the Village. The Village is located wholly in Green Township who contracts with the Manchester Fire Department. There was no evidence of payments from the Village for these services.

#### Water Services

Residents of the Village receive water services from the Adams County Rural Water District. Residents are billed directly by the Adams County Rural Water District.

**CRITERION 5:**

The Village has failed for any fiscal year to adopt the tax budget required by Section 5705.28<sup>1</sup> of the Ohio Revised Code. (Ohio Revised Code Section 703.201(A)(5))

**PROCEDURES:**

1. Inquired with the Adams County Auditor's Office.
2. Reviewed tax budgets submitted to the County Budget Commission from 2016 to 2021.
3. Reviewed released audit reports from 1998 to 2017.
4. Reviewed the minutes of the Village from January 17, 2016 to December 9, 2019. The Village was unable to provide minutes for 2020 or 2021.

**RESULTS:**

The following table summarizes the Village's compliance with tax budget law from 2016 to 2021:

<b>Tax Year</b>	<b>Tax Budget Submitted to County Budget Commission</b>	<b>Tax Budget Submitted to the County Auditor signed by:</b>	<b>Passed in Minutes</b>	<b>Has the Village Failed to adopt the tax budget required under the Tax Levy Law</b>
2021	No	No	No tax budget approval	Yes
2020	No	No	No tax budget approval	Yes
2019	Yes	Yes	No tax budget approval	Yes
2018	Yes	Yes	No tax budget approval	Yes
2017	Yes	Yes	No tax budget approval	Yes
2016	Yes	Yes	No tax budget approval	Yes

<sup>1</sup> The Auditor of State interprets Ohio Revised Code §5705.28 to require the passage of the Tax Budget by ordinance or resolution, which requires three public readings for passage, with the absence of a resolution deeming the ordinance or resolution an emergency measure for immediate passage with only one reading.

**CRITERION 6:**

A Village elected official has been convicted of theft in office, either under section 2921.41 of the Revised Code or an equivalent criminal statute at the federal level, at least two times in a period of ten years. (Ohio Revised Code Section 703.201(A)(6))

**PROCEDURES:**

- 1. Inquired with the Adams County Prosecutor's Office.
- 2. Reviewed released audit reports from 1998 to 2017.

**RESULTS:**

There have been no elected officials in the Village since 1995.

**CONCLUSION**

Based upon the results of the procedures performed, the Auditor of State finds that the Village of Rome meets at least two of the conditions enumerated in Ohio Revised Code Section 703.201.

The Village meets criterion 2, failure to follow applicable election laws, and criterion 5, failure to adopt the tax budget.

We express no opinion on the Village's internal control system over financial reporting or any part thereof. Had we performed additional procedures, or had we conducted an examination of financial statements in accordance with auditing standards generally accepted in the United States of America, other matters might have come to our attention that would have been reported to you. This report relates only to transactions relating to the above procedures, and does not extend to any financial statements of the Village taken as a whole.

This report is intended for the use of the specified users listed above. Reports by the Auditor of State are a matter of public record and use by other components of state government or local government officials is not limited.

**NOTICE**

It is the Auditor of State's intent to refer this report to the attorney general on December 7, 2021 for legal action in accordance with Ohio Revised Code Section 703.201.

A handwritten signature in black ink that reads "Keith Faber". The signature is written in a cursive, flowing style.

Keith Faber  
Auditor of State  
Columbus, Ohio

# OHIO AUDITOR OF STATE KEITH FABER



## VILLAGE OF ROME DISSOLUTION ANALYSIS

ADAMS COUNTY

### AUDITOR OF STATE OF OHIO CERTIFICATION

This is a true and correct copy of the report, which is required to be filed pursuant to Section 117.26, Revised Code, and which is filed in the Office of the Ohio Auditor of State in Columbus, Ohio.



Certified for Release 12/7/2021

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This report is a matter of public record and is available online at  
[www.ohioauditor.gov](http://www.ohioauditor.gov)